

## CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR § 1.8

I hereby certify that this correspondence, and any attachment thereto, is being transmitted to the United States Patent Office by facsimile transmission to 571-273-8300 on the date indicated below

Patricia L. Mesuch

Date of Signature

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NOV 22 2005

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

STABER et al.

Serial No.: 09/001,565

Filed: December 31, 1997

For: XDSL Splitter Line Module for Network  
Interface Device

Art Unit: 2644

Examiner: Harold, J.F.

Mail Stop Issue Fee  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

VIA FACSIMILE: 571-273-8300  
TOTAL PAGES: 7

PETITION TO WITHDRAW HOLDING OF ABANDONMENT  
UNDER 37 C.F.R. § 1.181

Dear Sir:

Pursuant to 37 C.F.R. § 1.181, and in response to the Notice of Abandonment mailed October 18, 2005, Applicants hereby petition the Commissioner to withdraw the holding of abandonment in the above-identified patent application. The Commissioner contends the application became abandoned for failure to timely pay the issue fee within the statutory period of three (3) months from the mailing date of the Notice of Allowance. However, Applicants timely submitted the fee transmittal cover sheet including authorization to charge the issue fee to Applicants' deposit account.

This petition is accompanied by the following prima facie evidence:

- (1) Copy of the facsimile transmission report received after the Issue Fee Transmittal was transmitted to the United States Patent and Trademark Office including a properly executed "Certificate of Mailing or Transmission";
- (2) A copy of the "Auto-Reply Facsimile Transmission" received from the United States Patent and Trademark Office acknowledging receipt of the Issue Fee Transmittal; and
- (3) A complete replacement copy of the Issue Fee Transmittal and accompanying Articles of Amendment changing the name of the corporate assignee from Siecor Operations, LLC to Corning Cable Systems LLC.

No fee is required for the petition. In view of the prima facie evidence submitted herewith, Applicants respectfully request the Commissioner to withdraw the Notice of Abandonment and to pass the application to issue forthwith.

If there are any other fees due in connection with this filing not already accounted for, the Commissioner is further authorized to charge those fees to Deposit Account No. 19-2167.

Respectfully submitted,



Christopher C. Dremann  
Attorney for Applicants  
Registration No. 36,504  
P. O. Box 489  
Hickory, N. C. 28603  
Telephone: 828/901-5904  
Facsimile: 828/901-5206

Dated: 11/22/05

\* \* \* COMMUNICATION RESULT REPORT ( APR. 22. 20 7:11AM ) \* \* \*

FAX HEADER: CCSLEGAL

TRANSMITTED/STORED : APR. 22. 2005 7:10AM  
FILE MODE OPTION

FILE MODE	OPTION	ADDRESS	RESULT	PAGE
969	MEMORY TX	G3 :ISSUE-FEE	OK	3/3

REASON FOR  
REASON FOR LINE FAIL

EE-2) BUSY  
EE-4) NO FACSIMILE CONNECTION

**PART B - FEE(S) TRANSMITTAL**

**Complete and send this form, together with applicable fee(s), to: Mail**

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
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**INSTRUCTIONS:** This form should be used for transmitting the **ISSUE FEE** and **REPLICATION FEE** (if required). Blocks 1 through 5 should be completed, where appropriate. All further correspondence (including the return of this form) should be sent to the address of the Patent Office of the country to which the patent correspondence is to be sent. The Patent Office of the country to which the patent correspondence is to be sent should be indicated in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a stipulated "FEE ADDRESS" for the maintenance fee notifications.

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7590 03/17/2005  
K MCNEILL TAYLOR, JR.  
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HICKORY, NC 286010489

**Certificate of Mailing or Transmission**  
I hereby certify that this Form's Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in all envelopes addressed to the United States Postal Service, or to a business or other entity, or to a person, on the date indicated below.

Transmitted to the USPTO (7/05) 746-4241, on the same instant date (08/05)		Date of issue
Patricia L. Mesnick		Inventor
Patricia L. Mesnick		Attorney
4/25/05	05	(Date)

APPLICATION NO.	FILED DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/001,563	12/31/1997	MARLEY I STABER		0784

**TITLE OF INVENTION: XDSL SPLITTER LINE MODULE FOR NETWORK INTERFACE DEVICE**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$0	\$1400	06/17/2003
EXAMINER		ART UNIT	CLASS-SUBCLASS		
MARCO D. ROBERTSON		2644	370-413020		

1. ☐ Change of correspondence address or indication of "Fee Address" (37 CFR 1.263).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SW/1122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SW/1122) attached (or more recent submission Use of a Customer Number is required).

2. For printing on the patent front page, list  
(1) the names of up to 3 registered patent attorneys  
or agents OR, alternatively,  
(2) the names of a single firm (moving to a member of a  
registered attorney or agent) and the names of up to  
3 registered patent attorneys or agents. If no name is  
listed, no name will be printed.

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on this report. If an assignee is identified below, the document has been filed for recordation at per force in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Corning Cable Systems LLC

Please check the appropriate inventor category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fig(s) are excluded:

46. Payments of Fee(s):

☒ Issue Fee  
☐ Publication Fee (No small entry discount permitted)  
☐ Advance Order - # of Copies \_\_\_\_\_

☐ A check in the amount of the fee(s) is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 19-3167 (enclose an extra copy of this form).

5. Change in Entity Status (from forms indicated above)

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

☒ a. Applicant claims **SMALL ENTITY** status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming **SMALL ENTITY** status. See 37 CFR 1.27.

The Director of the **USPTO** is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to this application (identified above).

NOTE: The Issuance Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature: \_\_\_\_\_  
Typed or printed name: Christopher C. Dreemann

Date 4/22/05  
Reference No. 36504

Typed or printed name: ALVIN K. STINEBAUGH

This collection of information is required by 37 CFR 1.911. The information is required to obtain a benefit by the public which is to file (and by the USPTO, to process) an application for a patent. The information is required by 35 U.S.C. 122 and 37 CFR 1.14. This collection is expected to take 15 minutes to complete, including gathering, processing, and reviewing the information. The information is required to be submitted to the USPTO, Office of the Commissioner of Patents, 400 ...  
submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on this collection should be sent to the USPTO, Office of the Commissioner of Patents, 400 ...  
this form and/or suggestions for reducing this burden should be sent to the USPTO, Office of the Commissioner of Patents, 400 ...  
Box 1450, Alexandria, Virginia 22315-1450. Do NOT send this or completed forms to this address. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22315-1450.

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PTOL-85 (Rev. 12/04) Approved for use through 04/30/2007.

OMB 0641-0033 U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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Cover  
Page[illegible]

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# STATE OF NORTH CAROLINA



Department of The  
Secretary of State

To all whom these presents shall come, Greetings:

I, ELAINE F. MARSHALL, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true

## ARTICLES OF AMENDMENT

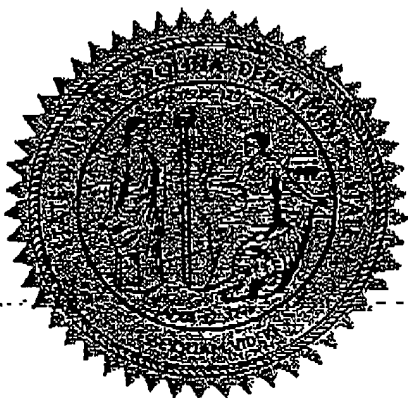
OF

SIECOR OPERATIONS, LLC

which changed its name to:

CORNING CABLE SYSTEMS LLC

the original of which is now on file and a matter of record in this office.



IN WITNESS WHEREOF, I have hereunto  
set my hand and affixed my official seal at the  
City of Raleigh, this 31<sup>st</sup> day of May, 2000.

*Elaine F. Marshall*

Secretary of State

201479052

State of North Carolina  
Department of the Secretary of State

SOSID: 0443538  
Date Filed: 5/30/2000 6:12 PM  
Effective: 6/1/2000  
Elaine F. Marshall  
North Carolina Secretary of State

**CERTIFICATE OF AMENDMENT  
SIECOR OPERATIONS, LLC  
AMENDMENT OF ARTICLES OF ORGANIZATION**

Pursuant to §57C-2-22 of the General Statutes of North Carolina, the undersigned limited liability company hereby submits the following Articles of Amendment for the purpose of amending its Articles of Organization.

1. The name of the limited liability company is: **SIECOR OPERATIONS, LLC**
2. The text of the amendment adopted is as follows:  
  
Numbered paragraph 1 of the Articles of Organization is hereby amended to read as follows: The name of the limited liability company is CORNING CABLE SYSTEMS LLC.
3. These articles will be effective June 1, 2000, 12:00:01 A.M., E.S.T.
4. The amendment was duly adopted by the unanimous vote of the members of the limited liability company.

This the 24th day of May, 2000.

**SIECOR OPERATIONS, LLC**

By:   
K. McNeill Taylor, Jr.  
Manager

c:\Name Change\Siccor Operations, LLC to Corning Cable Systems LLC 06-01-00.doc